

Postal Regulatory Commission

Washington, D.C. 20268-0001

NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that on November 14, 2011, the Commission received a petition for review of the Postal Service's determination to close the Nixon post office located in Nixon, Nevada. The petition for review was filed by Wayne Burke (Petitioner) and is postmarked October 31, 2011.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review).



Shoshana M. Grove
Secretary

Date: November 29, 2011

Attachment

Pyramid Lake Paiute Tribe

Post Office Box 256

Nixon, Nevada 89424

Telephone: (775) 574-1000 / 574-1001 / 574-1002

FAX (775) 574-1008

A2012-67

Received

NOV 07 2011

Office of PAGR

October 26, 2011

Dean Granholm, Vice-President
Delivery & Post Office Operations
U.S. Postal Service – Postal Regulatory Commission
901 New York Ave., NW, Suite 200
Washington, DC 20268-0001

RE: NOTICE OF APPEAL

Dear Mr. Granholm:

The Pyramid Lake Paiute Tribe hereby submits this notice of appeal of the Postal Regulatory Commission's determination to close the Nixon Post Office, and the possible closure of the Wadsworth Post Office which are both located on the Pyramid Lake Indian Reservation. Two town hall meetings were held on April 27th and June 15th in Nixon and Wadsworth which were both well-attended by the community. The Tribe has determined that the alternatives proposed by the U.S. Postal Service are unacceptable given the distance to travel, and the lack of transportation available to our community members. The Tribe also has concerns regarding possible vandalism to free-standing mail boxes as we are in a remote location.

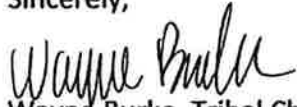
Our community members have medicines delivered through the mail and it is not certain that these items will remain secure in a mailbox that is not monitored. During the winter months, the roads in our area tend to become very hazardous which would result in hardships to our community members in obtaining mail services since it is a 32-mile trek to and from the nearest post office.

The post offices in both reservation communities are vital to the operation of our tribal government as we send and receive certified mail from outside agencies on a regular basis. The Tribe's government-to-government relationship with the United States is based on trust and that trust is reliant on the ability to provide and receive vital government services in a consistent manner.

Enclosed are two resolutions enacted by the Pyramid Lake Paiute Tribal Council in support of keeping the two post offices open. We look forward to your reconsideration of the decision to close our post offices.

Mr. Dean Granholm
October 26, 2011
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Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Burke". The signature is fluid and cursive, with the first name "Wayne" being more prominent than the last name "Burke".

Wayne Burke, Tribal Chairman
Pyramid Lake Paiute Tribe

Copy w/Enclosures to:

Senator Harry Reid
Ms. Mary Conelly, State Director – Senator Reid's Office
Ms. Della John, Tribal Administrator
Pyramid Lake Paiute Tribal Council
File

Pyramid Lake Paiute Tribal Council

Post Office Box 256

Nixon, Nevada 89424

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RESOLUTION NO.: PL 46-11

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

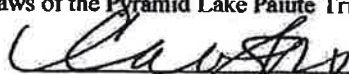
- WHEREAS,** the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C., Section 476) and is Federally recognized by the United States Government through the Secretary of the Interior and Bureau of Indian Affairs; and
- WHEREAS,** the Pyramid Lake Paiute Tribal Council is the duly elected governing body of the Pyramid Lake Paiute Tribe, charged with the responsibility to ensure the safety and welfare of its membership; and
- WHEREAS,** the United States Post Office located in Wadsworth has served the Tribal community for very effectively for many years and has become a landmark in the Wadsworth community around which the citizens can send/receive mail, access vital government benefits/services, be informed of local meetings, events, school postings and job announcements; and
- WHEREAS,** it has come to the attention of the Tribal Council that the United States Postal Service is considering closure of the Wadsworth Post Office; doing so would cause a hardship for tribal members to access their mail in a safe, illuminated, locally accessible, weather-resistant facility; and
- WHEREAS,** on April 27, 2011 a community meeting was held to discuss the United States Post Office in Wadsworth's reduced workload and therefore costs to maintain the Wadsworth Post Office may not be warranted and mailed out a customer questionnaire to assist in this determination.

NOW, THEREFORE, BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby appeals to keep the United States Post Office located at Wadsworth, Nevada, open and accessible to the Wadsworth community and is willing to assist in this endeavor in any way possible.

BE IT FURTHER RESOLVED, that the Tribal Council hereby authorizes the Tribal Chairman or his designee to effectuate any and all administrative changes to implement this Resolution of adoption and to forward a copy of the same to members of the Nevada Congressional delegation.

CERTIFICATION

It is hereby certified that the foregoing Resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members of whom ten (10), constituting a quorum, were present at a meeting duly held on the 6th day of MAY, 2011, was adopted by the affirmative vote of nine (9) FOR and zero (0) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.



Carol Smith, Tribal Secretary
Pyramid Lake Paiute Tribal Council

Pyramid Lake Paiute Tribal Council

Post Office Box 256

Nixon, Nevada 89424

Telephone: (775) 574-1000 / 574-1001 / 574-1002

FAX (775) 574-1008

RESOLUTION NO.: PL 55-11

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

- WHEREAS,** the Pyramid Lake Paiute Tribe is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C., Section 476) and is Federally recognized by the United States Government through the Secretary of the Interior and Bureau of Indian Affairs; and
- WHEREAS,** the Pyramid Lake Paiute Tribal Council is the duly elected governing body of the Pyramid Lake Paiute Tribe, charged with the responsibility to ensure the safety and welfare of its membership; and
- WHEREAS,** the United States Post Office located in Nixon has served the Tribal community for very effectively for many years and has become a landmark in the Nixon community around which the citizens can send/receive mail, access vital government benefits/services, be informed of local meetings, events, school postings and job announcements; and
- WHEREAS,** it has come to the attention of the Tribal Council that the United States Postal Service is considering closure of the Nixon Post Office; doing so would cause a hardship for tribal members to access their mail in a safe, illuminated, locally accessible, weather-resistant facility; and
- WHEREAS,** according to the notification received from the United States Postal Service, costs to maintain the Nixon Post Office may not be warranted and the United States Postal Service mailed out a customer questionnaire to assist in this determination.

NOW, THEREFORE, BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby appeals to keep the United States Post Office located at Nixon, Nevada, open and accessible to the Nixon community and is willing to assist in this endeavor in any way possible.

BE IT FURTHER RESOLVED, that the Tribal Council hereby authorizes the Tribal Chairman or his designee to effectuate any and all administrative changes to implement this Resolution of adoption and to forward a copy of the same to members of the Nevada Congressional delegation.

CERTIFICATION

It is hereby certified that the foregoing Resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members of whom nine (9), constituting a quorum, were present at a meeting duly held on the 2nd day of JUNE, 2011, was adopted by the affirmative vote of eight (8) FOR and zero (0) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.


Carol Smith, Tribal Secretary

Pyramid Lake Paiute Tribal Council